IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 686 OF 2004

New Power Electronics & Projects
Private Limited ... Petitioner
Versus
Union of India and Ors. ... Respondents

ALONG WITH
WRIT PETITION NO. 1000 OF 2004

Smt. Gita Mohandas ... Petitioner
Versus
Bharatiya Vidya Bhavan and Ors. ... Respondents

WITH
WRIT PETITION NO. 1001 OF 2004

Smt. Jyoti Moghe ... Petitioner
Versus
Bhartiya Vidya Bhavan and Ors. ... Respondents

ALONG WITH
WRIT PETITION NO. 1002 OF 2004

Ms. Ashwini A. Chawak ... Petitioner
Versus
Bhartiya Vidya Bhavan and Ors. ... Respondents

Mr. Mihir Desai for Petitioner.
Mr. M.D. Naik, A.G.P. for R. Nos. 3 and 4.
Mr. P.M. Palshikar for R.Nos. 1 and 2.
Mr. Susheel Mahadeshwar for R. No. 5.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATED : MARCH 23, 2006

P.C.

. The Petitioners in all these petitions are employed with the Bhawan College run by Bharti Vidyabhavan. It

is their case that they have been appointed from various dates ranging from 13.11.1990 to 29.11.1994. All of them meet the required qualifications. It is also their case that the college has advertised the post as required considering that these were reserved posts. In terms of the policy as in force, after six reservations, the post could have been dereserved and in terms of the resolution of the university, those selected could have been regularised against these vacancies. The Petitioners rely on the Judgment of this court in Writ Petition No. 4239 of 2005 in the case of Mrunal Ashish Bakane Vs. The Principal, Dnyanasadhana College and Ors. decided on 21.9.2005 wherein reference has also been made to various other cases decided by this court in respect of similar issue.

. On behalf of the University, it is pointed out that the College has not followed the procedure in forwarding to them necessary information as required to enable them to move the State Government for dereservation of the posts. Considering that, in our opinion, these petitions can be disposed of by issuing the following directions :

(1) The Respondent No. 2 to forward to Respondent No. 5 the required information including advertisements issued and the proposal for dereservation within the period of four weeks.

(2) On receipt of these proposals, the Respondent No. 5 by following due procedure to take steps according to law within the period of six weeks thereafter.

(3) The Respondent No. 4 thereafter considering the judgment of this court in similarly situated cases and considering the judgement we have referred, to take decision within twelve weeks thereafter and communicate their decision to Respondent No. 2.

(4) In the meantime, the services of the Petitioners be continued and for the period of six weeks thereafter, if there be any order adverse to the Petitioner.

. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)